In the High Court of Judicature at Madras

Date : 06..12..2007

Coram :

The Hon'ble Mr. Justice P. JYOTHIMANI

Writ Petition No: 36523 of 2007

S. Munusamy,
No: 358, Bharathi Nagar,
Walajapet,
Anaicut Road,
Vellore District. ... Petitioner

-vs-

1. The District Revenue Officer,
Kancheepuram,
Kancheepuram District.

2. The Inspector of Police,
Civil Supplies CID,
Vellore,
Vellore District. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the first respondent to release the Lorry bearing Registration No. TN-04-C-8429 seized by the second respondent on 03.12.2007 to the petitioner.

For Petitioner : Mr. C.Prakasam

For Respondents : Mr. N. Senthil Kumar
Govt. Advocate (writs)

O R D E R

Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.N.Senthil Kumar, learned Government Advocate (writs) appearing for the respondents.

2. Keeping in view the orders passed in similar cases, this writ petition is disposed of with a direction to the first respondent to release the Lorry bearing Registration No.TN-04-C-8429 to the petitioner subject to the following conditions:

a. The petitioner shall establish the ownership of the vehicle by producing necessary certificate before the first respondent;

b. The petitioner shall not transfer the vehicle or encumber the same in any manner till the adjudication is over;

c. The petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty thousand only) by way of cash with the first respondent;

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d. The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the vehicle as and when required by the first respondent; and

e. If it is found later that vehicle was involved in any illegal activity before, this order shall not stand in the way of the respondents taking action in accordance with law.

No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

gp

Copy to :

1. The District Revenue Officer,
Kancheepuram District.

2.The Inspector of Police,
Civil Supplies CID,
Vellore District.

+ 1 CC To Mr. C.Prakasam, Advocate SR NO.72602

+ 1 CC to the Government Pleader SR NO 72485

W.P.No: 36523 of 2007

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